

REMARKS

Claims 29-47 are pending.

Claims 1-28 and 48 have been cancelled.

In the Office Action dated April 14, 2009, claim 48 was objected to; claims 29-43, 46 and 47 were rejected under 35 U.S.C. § 103(a) as unpatentable over Mateos (U.S. Patent Publication No. 2003/0050995) in view of Coates (U.S. Patent No. 6,952,737); claim 44 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mateos in view of Coates and further in view of Chen (U.S. Patent No. 6,021,437); claim 45 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mateos in view of Coates and further in view of Lynch (U.S. Patent No. 6,823,319); and claim 48 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mateos in view of Coates and further in view of Compaq Remote System Management for Industry-Standard Servers (Compaq).

Claim 48 has been cancelled, without prejudice, to render the objection of claim 48 moot, and to render the rejection of claim 48 moot.

It is respectfully submitted that independent claim 37 is non-obvious over Mateos in view of Coates.

To make a determination under 35 U.S.C. § 103, several basic factual inquiries must be performed, including determining the scope and content of the prior art, and ascertaining the differences between the prior art and the claims at issue. *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 U.S.P.Q. 459 (1965). Moreover, as held by the U.S. Supreme Court, it is important to identify a reason that would have prompted a person of ordinary skill in the art to combine reference teachings in the manner that the claimed invention does. *KSR International Co. v. Teleflex, Inc.*, 127 S.Ct. 1727, 1741, 82 U.S.P.Q.2d 1385 (2007).

Here, claim 37 recites a method of displaying a web page comprising:

- requesting at least a frame of a web page from a managed server, wherein the frame comprises a first embedded object and a call to a scripting language function defined by the first embedded object, wherein the scripting language function is for merging data corresponding to the first embedded object with the web page;
- receiving the frame from the managed server;

- based on evaluating the scripting language function, requesting, by a requesting computer, the data corresponding to the first embedded object from the managed server after receiving the frame from the managed server;
- receiving, by the requesting computer, the data corresponding to the first embedded object;
- calling, by the requesting computer, the scripting language function defined by the first embedded object; and
- merging, by the requesting computer, the data corresponding to the first embedded object into the frame.

Note that requesting the data corresponding to the first embedded object from the managed server is performed **after receiving the frame of a web page from the managed server, where the frame has a first embedded object and a call to a scripting language function defined by the first embedded object.** The Office Action conceded that Mateos fails to disclose the foregoing claimed subject matter. 4/14/2009 Office Action at 5. Instead, the Office Action cited Coates as purportedly disclosing the claimed feature. *Id.*

Specifically, the Office Action cited the following passage of Coates as purportedly disclosing the claimed subject matter: column 26, line 52 – column 27, line 65; Figs. 25-26.

As shown in Figs. 25 and 26, and described by the accompanying text in passages in columns 26 and 27 of Coates cited by the Office Action, an end-user computer sends a request to a client site 2620, and receives, in return, an HTML web page with one or more embedded SRLs (storage resource locators). Coates, 27:3-6. Using the embedded SRLs, the end-user computer 2610 generates SRL requests directly to the storage center 2650 over a wide area network. *Id.*, 27:6-9. In response, the storage center 2650 serves object files directly to the end-user computer 2610. *Id.*, 27:9-10. The SRLs embedded in the HTML web page are identifiers that allow a user to submit requests directly to the storage center 2650 for object files.

However, although the SRLs allow for the identification of locations of data at the storage center in Coates, the SRLs do not constitute a scripting language function in the web page of claim 37. As specifically recited in claim 37, the scripting language function

is for merging data corresponding to the first embedded object with the web page. The SRLs of Coates do not constitute such a scripting language function.

Mateos also clearly fails to disclose the foregoing subject matter of claim 37. Although Mateos describes use of a CGI program 230 at a web server to build a web page containing data retrieved from a database to a client for display, there is absolutely no hint given in Mateos that this web page that is sent to a client for display would include the scripting language function of claim 37, where the scripting language function is for merging data corresponding to the first embedded object with the web page, and where after receiving a frame that contains a call to the scripting language function, the scripting language function is evaluated, and based on this evaluation, the data corresponding to the first embedded object is requested from the managed server.

In view of the foregoing, it is clear that even if Mateos and Coates could be hypothetically combined, the hypothetical combination of the references would not have led to the claimed subject matter.

Moreover, in view of the significant differences between the claimed subject matter and the teachings of Mateos and Coates, a person of ordinary skill in the art would clearly not have been prompted to combine the teachings of Mateos and Coates to achieve the claimed subject matter. All that Coates would have hinted to a person of ordinary skill in the art would be that a resource locator, in the form of an SRL, can be provided in a web page that can be used by an end-user computer to request data directly from a storage center. However, a source locator such as the SRL for identifying a location of data has nothing to do with the scripting language function that is for merging data corresponding to the first embedded object with the web page, as recited in claim 37.

Additionally, Mateos relates to a CGI program that is used to construct a web page containing data retrieved from a database, where the web page is sent to the client. However, in Mateos, there is absolutely no hint given whatsoever that the web page that is sent to the user would contain a scripting language function that would be evaluated for requesting data corresponding to the first embedded object from the managed server, after the web page is received from the managed server.

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In view of the foregoing, it is respectfully submitted that claim 37 is clearly non-obvious over Coates and Mateos.

Independent claims 29 and 46 are similarly allowable over Mateos and Coates.

Dependent claims are allowable for at least the same reasons as corresponding independent claims. In view of the allowability of base claims over Mateos and Coates, it is respectfully submitted that the obviousness rejections of dependent claims over Mateos, Coates, and other references have also been overcome.

In view of the foregoing, allowance of all claims is respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (200302369-1).

Respectfully submitted,

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